

**I. CALL TO ORDER – PLEDGE TO THE FLAG**

The General Business Meeting of the Board of Supervisors of Upper Macungie Township was called to order on February 6, 2020 at 7:00 p.m. in the Municipal Building, 8330 Schantz Road, Breinigsville, PA 18031. Present were James M. Brunell, Chairman (via telephone); John P. "Sean" Gill, Vice-Chairman; Kathy A. Rader, Supervisor; Robert R. Ibach, Jr., Township Manager; Kalman A. Sostarecz, Jr., Township Secretary; Daren J. Martocci, Director of Community Development; David Alban, Township Engineer; Andrew V. Schantz, Esq., Solicitor; Mike Sitoski, Lieutenant, UMPD; Scott Faust, Public Works Director; Bruce Koller, Finance Director; and Lynn Matula, Recreation & Events Coordinator.

Vice-Chairman Gill opened the meeting and asked all present to join him in reciting the Pledge of Allegiance to the Flag of the United States of America.

**II. MINUTES****A. *January 6, 2020 Reorganization & Business Meetings***

Vice-Chairman Gill stated that he would dispense with the reading of the minutes of the previous meetings unless there was an objection.

**Motion by Vice-Chairman Gill to waive the reading of the minutes of the January 6, 2020 meetings and approve them as presented. Seconded by Chairman Brunell. The motion passed unanimously.**

**III. PRESENTATIONS****IV. DISCUSSIONS & UPDATES****A. *Developer-Proposed Building Height-Related Zoning Modification Request***

Discussion was had regarding Americold's proposal to modify the Upper Macungie Township Zoning Ordinance to allow for an increased height of warehouse in certain districts. Speaking on behalf of Americold were Attorney Tim Siegfried, Jim Snyder, and Bob Mason. Township resident Sunny Ghai spoke on behalf of the fifty-plus residents in the room, as well as resident Christine Logan. Becky Bradley, Executive Director of the Lehigh Valley Planning Commission spoke on their behalf. Representatives of Americold requested for additional meetings with the Township before a decision is made. Residents are opposed to any increase in height restriction due to numerous factors including sight lines and changing the character of neighborhoods. The Lehigh Valley Planning Commission issued a letter outlining several reasons why a zoning change should not be entertained, not only on a local level, but also for region-wide considerations. Chairman Brunell, Vice-Chairman Gill, and Supervisor Rader all expressed their concerns with entertaining the proposed zoning amendment change.

**Motion by Supervisor Rader to reject the building height-related Zoning modification request. Seconded by Vice-Chairman Gill. The motion passed unanimously.**

Vice-Chairman Gill announced a brief recess at 7:51 p.m. to allow those in attendance to exit the meeting room prior to commencing with the remainder of the agenda. The meeting was called back to order at 7:54 p.m.

**V. ORDINANCES****A. *Ordinance #2020-03 – Repealing Traffic Impact Fees***

Mr. Alban stated that it has been previously discussed that the funds generated from Transportation Service Areas have been expended out of the General Fund and a motion was made at the previous meeting to transfer funds from the Transportation Service Area accounts to the General Fund as reimbursement. Those transfers were made, and the account balances are

zero. As there are no potential projects that would qualify for similar fees, the proposed Ordinance would eliminate that section of the Township Code.

**Motion by Vice-Chairman Gill to adopt Ordinance #2020-03, repealing Traffic Impact Fees. Seconded by Supervisor Rader. The ordinance passed unanimously. BE IT RESOLVED, Ordinance #2020-03 is hereby adopted.**

**B. Ordinance #2020-04 – Existing Police Pension Plan Update**

Manager Ibach stated that recent routine reviews of the current Police Pension Plan and Collective Bargaining Agreement language by the Pennsylvania Municipal Retirement System and the PA Attorney General's office have revealed discrepancies between them. The proposed ordinance does not change benefit levels, it simply aligns language between the two.

**Motion by Vice-Chairman Gill to adopt Ordinance #2020-04, updating Upper Macungie Township's Police Uniform Pension Plan to align with the language between the current Collective Bargaining Agreement with the Ordinance. Seconded by Chairman Brunell. The ordinance passed unanimously. BE IT RESOLVED, Ordinance #2020-04 is hereby adopted.**

**C. Ordinance #2020-05 – Creation of Secondary Police Pension Plan**

Manager Ibach stated that the Pennsylvania Municipal Retirement System has funded noncompliant Act 600 plans; however, they are unwilling to continue this practice and request that the Township create a new plan that would apply to police officers hired in the future.

**Motion by Vice-Chairman Gill to adopt Ordinance #2020-05, establishing a secondary Police Uniform Pension Plan to be compliant with Pennsylvania Act 600. Seconded by Supervisor Rader. The ordinance passed unanimously. BE IT RESOLVED, Ordinance #2020-05 is hereby adopted.**

**D. Ordinance #2020-06 – Sewer Tapping Fees**

Manager Ibach stated that the Township completed a formal Tapping Fee study in December of 2019, as authorized by the Board in April of 2018, and need the next step would be to implement the fee by way of the proposed ordinance. The new fee would be \$5.81 per gallon per day.

**Motion by Vice-Chairman Gill to adopt Ordinance #2020-06, establishing a Sanitary Sewer Tapping Fee for Upper Macungie Township. Seconded by Supervisor Rader. The ordinance passed unanimously. BE IT RESOLVED, Ordinance #2020-06 is hereby adopted.**

**VI. RESOLUTIONS**

**A. Resolution #2020-04 – Docket #2265 – Shoppes at Trexler Plaza – Preliminary/Final Land Development Approval**

Mr. Martocci stated that the plan complies with the UMT Subdivision and Land Development Ordinance and Zoning Ordinance, and the Planning Commission reviewed and recommended approval at their January 15, 2020 meeting.

**Motion by Vice-Chairman Gill to approve Resolution #2020-04, granting Preliminary/Final Land Development Approval to Docket #2265, Shoppes at Trexler Plaza Land Development Plan, conditioned upon staff and engineering review letters; and granting waivers 1 through 7 as outlined in Keystone Consulting Engineer's letter dated January 3, 2020. Seconded by Supervisor Rader. The motion passed unanimously. BE IT RESOLVED, Resolution #2020-04 is hereby adopted.**

**B. Resolution #2020-05 – Docket #1961 – Laurel Fields Phase V – Preliminary/Final Land Development Approval**

Mr. Martocci stated that the Plan complies with the UMT Subdivision and Land Development Ordinance and Zoning Ordinance, and the Planning Commission at their meeting on January 15,

2020 reviewed and made recommendations on the project. Namely that sidewalks on the east side of Werley Road be constructed to connect to previous phases of the development, and in return Recreation Fees be reduced. Mr. Thomas Dredge from Langan Engineering, the engineer for the applicant, stated that they are not required to provide the sidewalks, but if the Township wishes so they will if the Recreation Fees are reduced. Board discussion indicated that it would not be their desire to have the sidewalks installed.

**Motion by Vice-Chairman Gill to approve Resolution #2020-05, granting Preliminary/Final Land Development Approval to Docket #1961, Laurel Fields, Phase 5, Subdivision and Land Development Plan conditioned upon staff and engineering review letters, and granting of waivers 1 through 3 as outlined in Keystone Consulting Engineer's review letter dated January 13, 2020. Seconded by Supervisor Rader. The motion passed unanimously. BE IT RESOLVED, Resolution #2020-05 is hereby adopted.**

**C. Resolution #2020-06 – Establishing/Restating the Building Code Board of Appeals**

Solicitor Schantz stated that Township Ordinance #2004-05 was enacted to administer and enforce the PA Uniform Construction Act and also stated that a Resolution would be passed to establish a Building Code Board of Appeals. The Township has appointed members to the Appeals Board since that time and this resolution is to formalize the process.

**Motion by Vice-Chairman Gill to approve Resolution #2020-06, establishing/restating the Building Code Board of Appeals. Seconded by Supervisor Rader. The motion passed unanimously. BE IT RESOLVED, Resolution #2020-06 is hereby adopted.**

**VII. MOTIONS**

**A. Appointing Jitesh "Jay" Rohatgi as an Alternate Member of the Zoning Hearing Board**

Manager Ibach stated that Jay Rohatgi applied to be appointed as an Alternate Member of the Zoning Hearing Board and was interviewed by him, Mr. Martocci, and Mr. Sostarecz. All were in favor of recommending him for appointment.

**Motion by Vice-Chairman Gill to appoint Jitesh "Jay" Rohatgi to the Zoning Hearing Board as an Alternate Member. Seconded by Supervisor Rader. The motion passed unanimously.**

**B. Authorizing the Hiring of New Township Employees**

Manager Ibach stated that staff has interviewed candidates for the newly created Police Clerical Assistant position as well as the vacant Utility Billing Clerk position and recommends making conditional offers to two individuals.

**Motion by Vice-Chairman Gill to make a final conditional offer of employment to Rita Christman, Police Clerical Assistant at the rate of \$15.91 per hour effective February 3, 2020; and Nida Bhatta, Utility Billing Clerk at the rate of \$15.91 per hour effective February 10, 2020. Seconded by Supervisor Rader. The motion passed unanimously.**

**C. Approving Zoning Officer/Assistant Director of Community Development Job Description & Authorizing Advertisement Seeking Candidates**

Mr. Ibach stated that this is a new position created in the 2020 budget; it would be an in-house Zoning official and also would monitor the operations of the Community Development Department. They would also be tasked with gaining the knowledge that the current Director of Community Development, Daren Martocci, has gained during his tenure here.

**Motion by Vice-Chairman Gill to approve the Job Description for the Assistant Director of Community Development/Zoning Officer and to authorize advertisement for a Full-Time position to fill the same. Seconded by Supervisor Rader. The motion passed unanimously.**

- D. Approving Recreation Intern Job Description & Authorizing Advertisement Seeking Candidates**  
Ms. Matula stated that the Recreation Intern was approved in the 2020 Budget and would assist her throughout the summer.

**Motion by Supervisor Rader to approve the Job Description for the Recreation Intern and to authorize advertisement for a Seasonal position from May through August to fill the same at a cost not to exceed \$7,233.20. Seconded by Vice-Chairman Gill. The motion passed unanimously.**

- E. Authorizing Agreement with Lehigh Mining & Navigation for Branding Services**

Manager Ibach stated that the Township has been utilizing a logo that was created in the mid-90's which is not much of a logo, and is mainly composed of the letters UMT. He along with Ms. Matula and Mr. Sostarecz met with several branding companies in the area to gather proposals to create a new logo which could be used on stationary, signage, and other items. A wide range of services were offered at various price points, and staff is recommending to engage Lehigh Mining and Navigation at a cost not to exceed \$8,400.00.

**Motion by Vice-Chairman Gill to authorize the execution of an agreement with Lehigh Mining & Navigation to proceed with the development of a new Township logo at a cost not to exceed \$8,400.00. Seconded by Supervisor Rader. The motion passed unanimously.**

- F. Authorizing Agreement with Wildlands Conservancy for a Recreation Department Assessment**

Manager Ibach stated that the Township's current Parks, Recreation, and Open Space Plan was completed in 2011; with the changes in the community since that time it would be proper to conduct a review of the strengths and weaknesses and suggest areas of improvements. He recommends Wildlands Conservancy to complete this assessment as they have a lot of experience in such studies.

**Motion by Supervisor Rader to authorize the execution of an agreement with Wildlands Conservancy to proceed with the review and assessment of the Recreation Department in the amount of \$5,250.00. Seconded by Vice-Chairman Gill. The motion passed unanimously.**

- G. Authorizing Codification of Ordinances #2019-01 through #2020-02**

Mr. Sostarecz stated that the Township utilizes the services of General Code to codify our ordinances into a format that is easy to use. This service is provided each year and this year's cost is higher than in years past due to the length of ordinances to be codified. Funds above the budgeted amount would be taken from the Printing line item, and next year staff will request an increase in the Codification line item.

**Motion by Vice-Chairman Gill to authorize the codification of Ordinances #2019-01 through #2020-02 through General Code at a cost not to exceed \$9,885.00. Seconded by Supervisor Rader. The motion passed unanimously.**

- H. Authorizing Preparation & Advertisement of Bids for 2020 Paving Projects**

Mr. Faust stated that he is requesting Board authorizing to go out for bid for the 2020 Paving Projects which were budget for this year, as well as a bid for Lawn Mowing Services for 2020.

**Motion by Supervisor Rader to authorize the preparation and advertisement of bids for the paving projects that are included in the 2020 budget, as well as for lawn mowing services for the year 2020. Seconded by Vice-Chairman Gill. The motion passed unanimously.**

- I. Authorizing Preparation & Advertisement of Bids for Lawn Mowing Services**

This item discussed under Item H. above.

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**J. Authorizing Preparation & Advertisement of Bids for Refuse & Recycling Services**

Mr. Ibach stated that the Township's current contract with Waste Management will expire on December 31<sup>st</sup> of this year, and while that may seem a long way out, the process should be complete prior to the development of the 2021 budget this summer. Staff will be looking at additional options that have been elected by surrounding municipalities, such as electronics and hazardous household waste collection at curbside.

**Motion by Supervisor Rader to authorize the preparation and advertisement of bids for the Township's 2021 Refuse & Recycling Contract. Seconded by Vice-Chairman Gill. The motion passed unanimously.**

**K. Authorizing Creation & Advertisement of Ordinance for Collection of Delinquent Accounts**

Mr. Koller stated that the Township has been using Arcadia Recovery Bureau for the collection of delinquent Utility Accounts since 2015; however, their performance has not met our expectations. Township Staff has been investigating alternative agencies which collect delinquent municipal accounts and has discovered that Portnoff Law Associates to be a prime candidate. They work exclusively with municipalities since 1996 and represent over 150 municipal clients and 23 Pennsylvania Counties. He along with Mr. Ibach, Mr. Sostarecz, and Solicitor Schantz met with representatives of Portnoff and are in agreement that they could be of great service to the Township. The first step would be to prepare and advertise an Ordinance appointing them as the Township's collection agent.

**Motion by Vice-Chairman Gill to authorize the preparation and advertisement of an ordinance for the collection of delinquent accounts. Seconded by Supervisor Rader. The motion passed unanimously.**

**L. Approving ArtsQuest, LLC Special Event Application for SangriaFest Upper Macungie**

Ms. Matula stated that after the success of the SangriaFest at Grange Park in 2019, ArtsQuest would like to once again hold it there. They provided a first-class experience and were easy to work with last year, and she expects the same this year. Vice-Chairman Gill stated that last year's event was very nice.

**Motion by Vice-Chairman Gill to approve the Special Event Permit Application for SangriaFest Upper Macungie, an ArtsQuest event, to be held at Grange Park on August 29, 2020, providing all Township policies and procedures are adhered to. Seconded by Supervisor Rader. The motion passed unanimously.**

**M. Approving Request for Special Fire Police Assistance at Cupid's Chase 5K**

Manager Ibach stated that this is a request for Special Fire Police for the Cupid's Chase 5K event on Saturday, February 8, 2020 at St. Paul's Church.

**Motion by Vice-Chairman Gill to approve Fire Police assistance for the Cupid's Chase 5K event on Saturday, February 8, 2020 at St. Paul's Church beginning at 8:00 a.m. until the conclusion of the event. Seconded by Supervisor Rader. The motion passed unanimously.**

**VIII. BOARD AND STAFF REPORTS**

**A. Treasurer**

The total bills from all funds for January 2020 was \$2,536,747.44.

**Motion by Vice-Chairman Gill to pay the bills for January 2020 in the amount of \$2,536,747.44. Seconded by Chairman Brunell. The motion passed unanimously.**

**B. Recreation Board**

Ms. Matula stated that she is currently scheduling Spring and Summer events and programs and posting them on the Township website and social media. Further details appear in the January Recreation Report.

**C. Community Development**

Mr. Martocci stated that the Planning Commission reviewed four applications in January and the Zoning Hearing Board heard two appeals. The department issued 83 permits in January, 41 of which were building permits, and an additional 6 permits for new structures. Further details appear in the January Community Development Report.

**D. Engineer**

Mr. Alban stated that the Rt. 100 Traffic Adaptive project has been installed and is currently operating in adaptive mode; however, two of the eight radar units were malfunctioning and sent back for repair/replacement. Once they are replaced a field meeting with PennDOT will take place which will start a 30-day test period; after its conclusion PennDOT will issue a Letter of Acceptance. Further details appear in the January Engineer's Report.

**E. Police**

Details appear in the January UMPD Report.

814	Total Calls for Service
20	Reportable MVAs
54	Non-Reportable MVAs
5	Private Property MVAs
16	Criminal Arrest (Misdemeanor/Felony)
13	Non-Traffic Citations (Summary)
365	Traffic Citations
22	Parking Tickets
113	Written Warnings
59	False Alarms
0	Arsons
2	Assaults
4	Burglaries
13	Disturbing the Peace
11	Drug/Alcohol Violations
19	DUI Offenses
6	Fraud Crimes
0	Homicides
2	Motor Vehicle Thefts
0	Robberies
0	Sex Offenses
7	Thefts
1	Vandalism/Criminal Mischiefs
3	Vehicle Break-In/Thefts
1	Weapon Offenses

**F. Fire/EMS**

Mr. Sostarecz stated that PA Recovery Collections for Emergency Incidents in 2019 totaled \$27,914. Further details appear in the January Bureau of Fire Director's Report.

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**G. Public Works**

Nothing to add. Further details appear in the January Public Works Report.

**H. Secretary**

Mr. Sostarecz stated that the Board of Supervisors conducted one Executive Session: February 6, 2020 at 6:00 p.m. – the topic was Personnel.

**I. Manager**

Manager Ibach stated that the Board of Auditors held their annual Reorganization Meeting – their report and minutes were provided to the Board of Supervisors.

**J. Solicitor**

Nothing to add.

**K. Board**

**i. Chairman Brunell**

Nothing to add.

**ii. Vice-Chairman Gill**

Requested that staff look into placing trash cans at bus stops.

**iii. Supervisor Rader**

Nothing to add.

**IX. PUBLIC COMMENT/COURTESY OF THE FLOOR**


Sunny Ghai, of Lehigh Court, stated that the truck parking situation and trash on Ambassador Drive is a problem and hopes that the Township can look into both matters. Mr. Alban stated that he will look at studying the road for a No Parking Ordinance. Manager Ibach stated that he has been in touch with Keep PA Beautiful to institute an "Adopt-a-Road" program.

**Motion by Supervisor Rader for staff to investigate an "Adopt-a-Road" Program. Seconded by Vice-Chairman Gill. The motion passed unanimously.**

**X. ADJOURNMENT**

There being no other business, **Vice-Chairman Gill made a motion to adjourn the meeting at 9:14 p.m. Seconded by Supervisor Rader. The motion passed unanimously.**

Submitted by:

  
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 Kalman A. Sostarecz, Jr.  
 Township Secretary

